

WILMERHALE

July 9, 2014

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The Honorable Jesse M. Furman
United States District Court
for the Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

RE: *John Doe v. Columbia University and Trustees of Columbia University*
Civil Action No. 14-cv-3573 (JMF)
Letter Response to Plaintiff's Motion for Leave to Proceed Under Pseudonym

Dear Judge Furman,

In accordance with this Court's order entered on June 9, 2014 (Doc. No. 3), Defendants Columbia University and Trustees of Columbia University ("Defendants") respectfully submit this letter-response to Plaintiff John Doe's Motion for Leave to Proceed Under Pseudonym. Defendants do not oppose John Doe's motion to proceed under a pseudonym in this case, in view of the sensitive subject matter and the age of the students involved.

Defendants hasten to point out that to the extent that John Doe rests his motion on the claim that he has reason to fear retaliation in some form from the University, such assertions are without foundation. Retaliation against anyone who asserts rights protected under Title IX violates University policy and is unlawful. Plaintiff has not made a single allegation to suggest that Columbia would retaliate against him for bringing this lawsuit.

Defendants are also acutely mindful of their privacy obligations under applicable federal and state law, as well as under University policy. Defendants treat the privacy interests of all Columbia students, staff, and faculty with the utmost concern, particularly regarding subjects, such as those at issue here, that go to the core of the University's mission to create a safe and welcoming educational environment.¹ This commitment continues unabated even after the filing of a lawsuit, and extends to all members of the University community—including those students whom John Doe mentioned by name in his publicly-filed complaint. *See, e.g.*, Compl. ¶¶ 26, 28, 49.

We are available to discuss this or any other matters.

Respectfully submitted,

¹ Certain Columbia employees and students who participated in John Doe's investigation and disciplinary hearing are aware of his identity. University policies make clear that University employees involved in such an investigation should restrict information about the investigation to those with a legitimate need to know. Columbia's present counsel are also aware of John Doe's identity, given the need for them to respond to this lawsuit.

WILMERHALE

Hon. Jesse M. Furman
July 9, 2014
Page 2

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